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NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rule 72.2)

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1 5. Juni 2005

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IMPORTANT NOTIFICATION

Date of mailing (day/month/year)
09 June 2005 (09.06.2005)

Applicant's or agent's file reference 2002-1015 P

International application No. PCT/EP2003/011268

International filing date (day/month/year)
10 October 2003 (10.10.2003)

Applicant

OCÉ PRINTING SYSTEMS GMBH et al

1. Transmittal of the translation to the applicant.

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

2. Transmittal of the copy of the translation to the elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

None

The following elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

EP, JP, US

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland

Authorized officer

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Translation

PATENT COOPERATION TREA



PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference					
2002-1015 P	FOR FURTHER ACTION	See Form PCT/IPEA/416			
International application No.	International filing date (day/m	onth/year) Priority date (day/month/year)			
PCT/EP2003/011268	10 October 2003 (10.1)				
International Patent Classification (IPC) or national classification and IPC B41J 15/04					
Applicant OCÉ PRINTING SYSTEMS GMBH et al.					
 This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 					
2. This REPORT consists of a total of	6 sheets, including	this cover sheet			
3. This report is also accompanied by A					
(tal of 7 sheets, as follows:			
sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).					
sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.					
b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).					
4. This report contains indications relat	ing to the following items:				
Box No. I Basis of the re	port				
Box No. II Priority					
Box No. III Non-establishr	nent of opinion with regard to no	velty, inventive step and industrial applicability			
Box No. IV Lack of unity of	of invention				
Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement					
Box No. VI Certain docum					
Box No. VII Certain defects	in the international application				
Box No. VIII Certain observations on the international application					
Date of submission of the demand	Date of	completion of this report			
06 May 2004 (06.05.20	004)	23 September 2004 (23.09.2004)			
Name and mailing address of the IPEA/EP	Authoriz	ed officer			
Facsimile No.		Telephone No.			



INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2003/011268

Box No	. I	Basis of the report						
		to the language, this report is based on the international application in the landicated under this item.	guage in which it was filed, unless					
	This report is based on translations from the original language into the following language, which is language of a translation furnished for the purpose of:							
		international search (under Rules 12.3 and 23.1(b))						
	\Box	publication of the international application (under Rule 12.4)						
	\sqcap	international preliminary examination (under Rules 55.2 and/or 55.3)						
furni	ished to are not	to the elements of the international application, this report is based on the receiving Office in response to an invitation under Article 14 are referred annexed to this report): atternational application as originally filed/furnished	(replacement sheets which have been and to in this report as "originally filed"					
	the de	scription:						
	pages	1-30	, as originally filed/furnished					
	pages	received by this Authority on						
	pages	received by this Authority on						
\boxtimes	the cl	aims:						
	pages		, as originally filed/furnished					
	pages	* , as amended (tog	ether with any statement) under Article 19					
	pages		01 September 2004 (01.09.2004)					
	pages	* received by this Authority on						
\boxtimes	the d	awings:						
الخسط	pages	1/21-21/21	, as originally filed/furnished					
	pages		,,					
	pages	received by this Authority on						
	2 500	nence listing and/or any related table(s) – see Supplemental Box Relating to Se	anana Tistina					
	a scq	to Se	quence Listing.					
3	The a	mendments have resulted in the cancellation of:						
		the description, pages						
		the claims, Nos.						
		the drawings, sheets/figs						
		the sequence listing (specify):						
	同	any table(s) related to sequence listing (specify):						
4.	made	report has been established as if (some of) the amendments annexed to this is, since they have been considered to go beyond the disclosure as filed, as 70.2(c)). the description, pages	indicated in the Supplemental Box					
* If ite	m 4 ap	plies, some or all of those sheets may be marked "superseded."						

I. Basis of the report

- 1. This report has been drawn on the basis of (Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.):
 - 1.1 The amendments submitted with the letter of 1 September 2004 introduce subject matter which, contrary to the requirement of PCT Article 34(2)(b), goes beyond the disclosure in the international application as filed. The amendments in question are in the last paragraphs of claims 1 and 26.

The reasons will be apparent from Box VIII below, which sets out the assumptions made for the purposes of this report, as per PCT Rule 70.2(c). Attention is also drawn to page 8 line 21, page 8 line 25, page 9 line 34, page 12 line 10, and page 12 line 32 of the original description.

	_
national	application No.
PCT/EP	03/11268

YES

NO

21, 22, 24, 25, 29-31

1-31

citations and explanations supporting such statement						
Statement						
Novelty (N)	Claims	1-31	YES			
	Claims		NO			
Inventive step (IS)	Claims	1-20, 23, 26-28	YES			
	Statement Novelty (N)	Statement Novelty (N) Claims Claims	Statement Novelty (N) Claims Claims 1-31 Claims	Statement Novelty (N) Claims Claims 1-31 YES Claims NO		

Claims

Claims

Claims

2. Citations and explanations

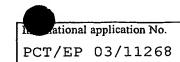
Industrial applicability (IA)

Claims 1 to 20 and 26 to 28

- 2.1 DE1424318A shows a device and process corresponding to parts of claims 1 and 26. In DE1424318A the continuous web is not guided in a direction of movement over the first roll and <u>directly</u> to the other roll, and does not pass to and from the rolls held by the frame <u>via a first fixed roll and another fixed roll</u>.
- 2.2 These special features provide a better solution to the problem of ensuring precision web guidance and avoiding web slack on one side.
- 2.3 The claimed special features are not suggested per se by any of the available prior art documents. The subject matter of claims 1 and 26 (and also of claims 2 to 20 and 27 to 28) therefore appears to involve an inventive step (PCT Article 33(3)).

Claims 21 to 25 and 29 to 31

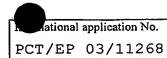
3.1 US3600551A, DE10136696 and FR2659426A show devices which have the features specified in claim 21 to page 35 line 11 and claim 29 to line 14.



The fact that the web has to be drawn off with a predetermined tractive force must be regarded as a necessity.

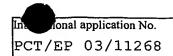
- 3.2 The last feature of both these groups of claims ("and wherein the take-off device [reference signs 50, 14 and 20 respectively in the aforementioned prior art documents] can pivot so as to correct web slack on one side") is not found in the prior art. In the embodiment described in the present invention the web is guided with a predetermined tractive force over the roll 50, which is pivotable about rotational axis 54.
- 3.3 The problem of uneven tension and slack on one side would arise automatically.
- 3.4 The solution to this problem, whereby the take-off device [reference sign 50 in US3600551A, 15 in DE10136696 and 20 in FR2659426A] can pivot so as to correct web slack on one side is generally known; see, for example, pivotable roll 6 in DE19624639A and pivotable roll 13 in JP03061248A.
- 3.5 A person skilled in the art would therefore adopt this feature as a solution to the problem of interest. Specifically, when constructing the devices according to US3600551A, DE10136696 and FR2659426A he would make the rolls (50, 14 and 20 respectively) pivotable.
- 3.6 Dependent claims 22, 24, 25, 30 and 31 appear to relate to standard measures and do not contain any additional features that clearly meet the PCT requirements in respect of inventive step when combined with the features of any of the back-referenced claims.





The solution proposed in claims 21, 22, 24 to 28, 30 and 31 cannot therefore be considered inventive (PCT Article 33(3)).

- 3.7 The combination of features in claims 22 and 23 improves the solution to the problem of ensuring precision web guidance and avoiding web slack on one side.
- 3.8 The claimed special features are not suggested per se by any of the available prior art documents. The subject matter of claim 23 therefore appears to involve an inventive step (PCT Article 33(3)).



VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

- 4.1 Claims 1, 21, 26 and 29 are presented as separate independent claims. The claims are therefore not concise (PCT Article 6).
- 4.2 For the purposes of this report the claims are interpreted as follows:
 - 1. Device (...) continuous web (10) in a direction of movement over a first roll (24) (...) and wherein the frame (28) is pivotable about a second rotational axis (58) relative to the fixed rolls (W1, W2), the component of the pivot movement of which runs parallel in the direction of movement of the web (10) between the two rolls (24, 26).
 - 14. Device according to claim 14, wherein the other rotational axis (52) in (...)
 - 15. Device according to claim 14, wherein the other rotational axis (...)
 - 16. Device (...) about the <u>second</u> rotational axis (58) (...) the other rotational axis (52) (...)
 - 17. Device (...) about the <u>second</u> rotational axis (58) (...) the <u>other</u> rotational axis (52) (...)
 - Process (...) continuous web (10) in a direction of movement over a first roll (24) (...) and wherein the frame (28) is pivoted about a second rotational axis (58) relative to the fixed rolls (W1, W2), the component of the pivot movement of which runs parallel in the direction of movement of the web (10) between the two rolls (24, 26).